

04 NCAC 24B .0402 is proposed for amendment as follows:

**04 NCAC 24B .0402 REQUEST FOR SEPARATION INFORMATION FROM EMPLOYER**

(a) ~~In connection with a claim filed by a claimant, DES shall require the claimant's last employer to provide complete information (sufficient facts) to make a correct initial determination of the claimant's eligibility for unemployment insurance benefits without having to contact the employer to obtain additional information.~~ DES shall provide requests for information regarding a claimant's separation or status to the employer's last known mailing address or email address as reflected in DES's official records. Requests shall be provided to the employer's mailing address when responding to the request by SCUBI, and to the email address when responding to the requests by SIDES.

(b) Employers shall electronically submit separation information and information regarding a claimant's employment status ~~a Form NCUI 500AB consistent with G.S. 96-15(b)(2) that shall be provided to the employer's last known address as reflected in its official records and include the following information:~~ by SCUBI at www.des.nc.gov or by SIDES.

(1) DES shall provide employers using SCUBI with written instructions for submitting responses by SCUBI with the request for information.

(2) SIDES participants who elect to receive communications from SIDES shall receive written instructions for submitting responses to the request for information by email or proprietary SIDES interface software.

(c) Each employer's response in connection with a request from DES shall include the following information as applicable to a claimant's claim:

(1) last and first dates of employment;

(2) the claimant's pay rate;

(3) the gross amount of ~~the~~ any vacation, severance, and ~~any~~ sick pay;

(4) the beginning and ending dates covered by ~~the~~ any separation payments;

(5) if the claimant quit ~~their~~ the job or left work:

(A) a copy of the employee's resignation ~~letter~~ letter, if one exists; and

(B) ~~the reason(s) for the resignation~~ each reason provided by the claimant to the employer for leaving work; or

(6) if the claimant was discharged:

(A) ~~the each reason(s) reason~~ for the separation discharge and with supporting documentation and evidence; and

(B) ~~copies of any employee policies, warnings, handbooks, documents, or contracts signed by the employee that pertain to the employee's discharge~~ a copy of each policy, warning, handbook, document, acknowledgment, or contract signed by the claimant that is relevant to the claimant's discharge; or

1       (7) if the claimant was separated due to an inability to perform the job duties and was employed less  
2 than 100 days, an explanation describing the job requirements, the claimant's inability to perform the job  
3 duties, and steps taken by the employer to assist the claimant to perform the job duties prior to discharge; or  
4 ~~(7)(8)~~ if the claimant is still employed with the employer:  
5       (A) the terms of employment and conditions under which the ~~employee~~ claimant was hired;  
6       (B) the number of hours per week that the ~~employee~~ claimant is currently working;  
7       (C) the customary number of hours per week that the claimant has worked;  
8 ~~(C)(D)~~ with regard to any reduction of the ~~employee's~~ claimant's work hours, hours:  
9       (i) the date the reduction took ~~place~~, place;  
10       (ii) reasons for the ~~reduction~~, reduction; and  
11       (iii) if ~~the reduction is~~ temporary, any date when the employee may be allowed to the  
12 expected date for the claimant's return to work; ~~or~~ and  
13 ~~(8) — if the employee was separated due to an inability to perform job duties and was employed less than~~  
14 ~~100 days, an explanation describing the inability to perform the job duties; and~~  
15       (9) any separation ~~or status~~ information requested by DES, or ~~which that~~ the employer ~~should expect~~  
16 expects is necessary for DES to make a correct initial determination of the claimant's eligibility for  
17 unemployment benefits.  
18 ~~(e) Employers may respond to requests for separation information by mail or fax as provided under 04 NCAC 24A~~  
19 ~~.0104, or by submitting their responses at www.ncese.com through the employer portal.~~  
20 *History Note:* Authority G.S. ~~96-1~~; 96-4; 96-11.3; 96-11.4; 96-15; ~~96-15.01~~; 20 U.S.C. 3303;  
21 Eff. July 1, 2015;  
22 Amended Eff. September 1, 2017.